

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

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Congetta Heintz,

Plaintiff,

Civil Action No.: 14-CV-2352

against

ARM WNY,

Defendant.

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NOTICE OF MOTION FOR ENTRY OF DEFAULT JUDGMENT

Plaintiff Congetta Heintz, respectfully moves this Court for an order of Default Judgment against Defendant ARM WNY in accordance with Fed. R. Civ. P. 55(b) in the aggregate amount of \$4,272.83, based upon the affirmation of Plaintiff's counsel, Renee F. Bergmann, Esq., and for the reasons set forth below. Plaintiff does not request a hearing on damages.

This Court should enter the judgment against Defendant, and in favor of Plaintiff, for the following reasons:

1. Defendant has not appeared in this action.
2. The Complaint in this action sets out a valid claim for statutory damages under 15 U.S.C. §1692 *et seq.*
3. Defendant is not an infant, nor an incompetent person, within the meaning of Rule 55(a) of the Federal Rules of Civil Procedure.
4. Defendant is not presently serving in the military service of the United States, as defined in the Soldier's and Sailor's Civil Relief Act of 1940 (50 U.S.C. §520).

5. This Motion is based upon all pleading and papers on file in this action and any other evidence that this Court may request.

Dated: Haddonfield, New Jersey
July 30, 2014

By: s/ **Renee F. Bergmann**
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